



OFFICE OF THE CITY CLERK CITY OF BINGHAMTON

William Berg, City Council President
Jeremy Pelletier, City Clerk

**BOARD OF ESTIMATE AND APPORTIONMENT
MEETING MINUTES
DPW Conference Room, 3rd Floor City Hall
Wednesday April 1, 2015**

Call to Order. Called to order at 11:10am by Richard C. David, Mayor

Board Members Present: Chuck Shager, Comptroller; Gary Holmes, City Engineer; Kenneth J. Frank, Corporation Counsel; Richard C. David, Mayor

Board Members Absent: Terry Kellogg, DPW Commissioner

Also Present: Jeremy Pelletier, City Clerk

ITEMS CONSIDERED

Permanent Easement for Portion of 70-72 Court Street. Request to enter into an agreement for a permanent easement for a portion of 72 Court Street, submitted by 33 State Street Associates. Alan Pope, Andrew Urso and Larry Pasquale attended the meeting held January 15, 2014 to discuss the proposal. The Board reviewed this matter, and concluded that any agreement should be limited to the space required for a stairway, but should not include space for a patio. The Board of Contract and Supply approved a Request for Sealed Bids for 70-72 Court Street at a meeting held on February 12, 2014. Such Request for Sealed Bids includes a restriction stating that the sale would be subject to a permanent easement for pedestrian ingress and egress from a basement stairwell at 92 State Street, but that construction above the stairwell would be permitted. Kenneth J. Frank to discuss the details of the permanent easement with Mr. Pope. Kenneth J. Frank sent a letter to Mr. Pope requesting a better description of the distances of the proposed easements. No new updates.

Water Street – Public Right of Way. Offer to purchase Water Street-Public Right of Way (L74 Pg. 356) for \$5,200, submitted by Ellis Brothers and Joseph Inc. on July 14, 2014. Sent to the Assessor's Office, the Office of Building Construction, Zoning & Code Enforcement, the Department of Planning, Housing & Community Development, and Economic Development on July 16, 2014. Scott Snyder responded on 7/16/2014 stating that he had no objection to the sale of the property. Bob Murphy responded on October 27, 2014 stating that assuming the OTP meets Scott Snyder's okay and last I heard the neighboring property owners were supportive – I have no objection. Tom Costello responded on 11/10/14 stating that he was in favor of the sale of the property but not the proposed use of the property. Jennie Skeadas-Sherry responded on 11/10/2014 stating that she does not have any problem with the purchase. Kenneth Frank will look into easements and rights of way for adjacent property owners. Kenneth J. Frank to meet with Gary Holmes, Robert Murphy and Jennie Skeadas-Sherry to review maps to ensure that of property owners has access to their buildings. Letter regarding easements and rights of way were drafted and will be sent to the attorney representing Ellis Brothers and Joseph Inc. Kenneth J. Frank will send a letter to the company's attorney regarding the easements for the adjacent property owners. A letter will also be sent to the property owner of the garage to ensure it is abandoned. No new updates

NEW BUSINESS

Approval of Minutes. Request to approve the minutes from the Board of Estimate and Apportionment meeting held on March 18, 2015.

Motion to approve minutes from March 18, 2015.

Moved by Shager, seconded by Frank.



OFFICE OF THE CITY CLERK CITY OF BINGHAMTON

William Berg, City Council President
Jeremy Pelletier, City Clerk

Motion carried. (Vote 4-0-1)

Ayes: Holmes, Shager, Frank, David
Nays: None
Absent: Kellogg

Potential Settlement. NYCM Insurance a/s/o Michael Laidlaw v. City of Binghamton. Presented by Kenneth J. Frank, Corporation Counsel.

Motion to authorize Corporation Counsel to proceed with settlement in the amount of \$2,752.72.

Moved by Shager, seconded by Frank.

Motion carried. (Vote 4-0-1)

Ayes: Holmes, Shager, Frank, David
Nays: None
Absent: Kellogg

Budget transfer. Request for various transfers as described below. Submitted by Terry Kellogg, Commissioner of Public Works.

From budget line	Amount
A1640.51000 (Personal Services - General Equip Mech)	\$18,174.00
A1640.51000 (Personal Services – Sr. Street Maint)	\$11,000.00
A1990.55000 (Contingency)	<u>\$25,000.00</u>
Total	\$54,174.00

To budget line	Amount
A5142.54141 (Sand-Salt & Other)	<u>\$54,174.00</u>
Total	\$54,174.00

Motion to approve various transfers in the 2015 DPW budget

Moved by Shager, seconded by Frank.

Motion carried. (Vote 4-0-1)

Ayes: Holmes, Shager, Frank, David
Nays: None
Absent: Kellogg

Adjournment. Motion to adjourn at 11:15am.

Moved by Shager, seconded by Frank.

Voice vote, none opposed.